

EXHIBIT Q



2208 North 30th Street, Suite 202, Tacoma, WA 98403 • 253.627.6401 • Toll Free: 800.649.2034 • byersanderson.com

ONE-WEEK TRANSCRIPT TURNAROUND

Digital Transcripts • Internet Realtime • HD Legal Video • Picture-in-Picture Depositions
Remote Witnesses • Designation Editing • Nationwide Scheduling • HD Videoconferencing

In the Matter of:

NWAUZOR

VS

GEO GROUP

BYRON EAGLE

December 05, 2019

Thank you for choosing Byers & Anderson for your court reporting, legal video, and videoconferencing needs. For over 35 years it has been our goal to provide you with unmatched service. Our one-week transcript turnaround is an industry leader. If there is anything we can do to assist you, please don't hesitate to let us know.

Sarah Fitzgibbon, CCR
Deposition Services Lead Consultant



The Premier Advantage™
PDF transcript bundle contains:

- Full-size and condensed transcripts
- Printable word index
- Hyperlinked selectable word index
- Embedded printable exhibit scans
- Hyperlinked selectable exhibit viewing
- Common file formats: txt, lef, mdb
accessed via *paperclip* icon

NWAUZOR vs GEO GROUP
Eagle, Byron - December 05, 2019

UNITED STATES DISTRICT COURT
for the
WESTERN DISTRICT OF WASHINGTON

NWAUZOR, et al.,)	
)	
Petitioners,)	
)	
v.)	No. 3:17-cv-05769-RBJ
)	
THE GEO GROUP, INC.,)	
)	
Respondent.)	

Deposition Upon Oral Examination
of
BYRON EAGLE

Taken at 1019 Regents Boulevard
Fircrest, Washington

DATE: Thursday, 5 December 2019

REPORTED BY: Gloria C. Bell, CCR 3261

A P P E A R A N C E S

For the Deponent Eagle:

CRAIG B. MINGAY
Assistant Attorney General
7141 Cleanwater Drive SW
Olympia, Washington 98504-0124
360.534.4878
craigml@atg.wa.gov

For the State Civil Rights Unit:

ANDREA BRENNEKE
Assistant Attorney General
800 Fifth Avenue
Suite 2000
Seattle, Washington 98104-3188
206.233.3384
andreab3@atg.wa.gov

For the Respondent GEO:

JOAN K. MELL
III Branches Law, PLLC
1019 Regents Boulevard
Suite 204
Fircrest, Washington 98466
253.566.2510
joan@3brancheslaw.com

Also Present: ROSS PETERSON

I N D E X

EXAMINATION BY:	PAGE
Ms. Mell.....	5
Mr. Mingay.....	51
Ms. Mell.....	52

* * *

EXHIBIT	DESCRIPTION	FOR I.D.
Exhibit No. 334	Amended subpoena.....	4
Exhibit No. 335	Class Action Complaint.....	4
Exhibit No. 336	Declaration of B.Eagle.....	4
Exhibit No. 337	Initial filing of Complaint.....	4
Exhibit No. 338	SCC final Report for 10/28/11.....	4
Exhibit No. 339	Engrossed Substitute Senate Bill 6052.....	4

FIRCREST, WASHINGTON; THURSDAY, 5 DECEMBER 2019

1:00 P.M.

--o0o--

(Deposition Exhibit Nos. 334-339 was
marked for identification.)

(Deposition started at 1:16 p.m.)

BYRON EAGLE, witness herein, being first duly
sworn on oath, was examined and
testified as follows: examination:

MS. MELL: For the record the my name is Joan
Mell. I'm appearing on behalf of the GEO,
respondents.

MS. BRENNEKE: I'm Andrea Brenneke with the
Attorney General's Office and the Civil Rights
Division.

MS. MELL: And you're here because?

MS. BRENNEKE: I am here because we have been
consolidated for trial with the Nwauzor case, and I
am representing the state in the case against GEO.

MS. MELL: Did you mean for discovery?

MS. BRENNEKE: Hmm?

MS. MELL: I don't think we've been
consolidated for trial.

MS. BRENNEKE: For the liability portion of
the trial.

MR. MINGAY: Craig Mingay with the Attorney

General's Office. I represent the witness.

**THE WITNESS: Byron Eagle with the Special
Commitment Center.**

MR. PETERSON: Ross Peterson, paralegal with
the Attorney General's Office.

EXAMINATION

BY MS. MELL:

Q. Okay. Did I say state your name? I did, didn't
I?

A. Nope.

Q. State your name.

A. Byron Eagle.

Q. And your title?

A. Chief of secure residential operations.

Q. All right. And you have before you -- showing
you what's marked as Exhibit 334. Do you recognize that
document?

A. Yes.

Q. All right. You have been designated as a
speaking agent on behalf of the State of Washington for
topics six through ten as reflected in Exhibit 334.

A. Yes.

Q. And you're familiar with the subject matter?

A. Yes.

Q. And how did you become familiar with that

1 Q. Okay. So the state does not pay minimum wages
2 to Special Commitment Center detainees who are working at
3 the Special Commitment Center?

4 A. I'm trying to follow it. Say it one more time.
5 Sorry.

6 Q. The state -- the state has Special Commitment
7 Center detainees doing work for it, without paying the
8 minimum wages and without giving them vocational training.

9 MS. BRENNEKE: Object to the form. Compound.

10 A. So they all participate in the vocational
11 program if they're performing work.

12 Q. (By Ms. Mell) But they're not getting training,
13 are they?

14 A. Training in what?

15 Q. Well, it's not really vocational training;
16 correct? There's no start and stop date?

17 MS. BRENNEKE: Object to the form.

18 A. No.

19 Q. (By Ms. Mell) And there's no -- you would agree
20 that people are cleaning the toilets who aren't getting a
21 degree in anything?

22 A. Right. Yes.

23 Q. And they're cleaning the toilets at the Special
24 Commitment Center because they're detained by the State of
25 Washington, and they are not paid minimum wages to do so.

A. Yes.

Q. And, in fact, most of the participants in the vocational -- well, strike that.

The program that you're talking about in your declaration, you refer to it as an RVP; is that correct?

A. Yes.

MS. BRENNEKE: Object to the form.

A. RVP, yes.

Q. (By Ms. Mell) Okay. So when I use the term RVP, anybody who's performing work at the Special Commitment Center has a status in the RVP?

A. Right; yes.

Q. Okay. Is there anyone who is a detainee at the Special Commitment Center who performs work but isn't in the RVP?

A. Not that I'm aware of.

Q. And is it correct that Mr. Calvin Malone has performed work as clerk for the chaplain at \$2.50 per hour and as a recreational clerk at 2.50 per hour for years without receiving any credentials?

A. Credentials?

MS. BRENNEKE: Object to the form.

A. I wouldn't know exactly what credentials he may or not have received.

Q. (By Ms. Mell) Does the Special Commitment Center

1 Q. The kind of work that the detainees are doing
2 includes janitorial work; is that right?

3 A. Yes.

4 Q. Is the kind of janitorial work that is necessary
5 to maintain the operational -- to maintain operations at
6 the SCC?

7 A. Some of it, yes.

8 Q. Does it include food preparation?

9 A. Yes.

10 Q. And with regard to food preparation, the
11 legislature directed the Special Commitment Center to look
12 into more cost effective means for meal preparation at the
13 facility; isn't that correct?

14 A. Yes.

15 Q. And I'm showing you what's been marked as
16 Exhibit 338. Do you recognize that document? Somehow I
17 got mine mixed up, 339. Is that the legislation that you
18 looked at in advance of your deposition? Or at least the
19 portion of -- the SCC portions of the legislation?

20 A. Yes.

21 Q. All right. And are you familiar with the
22 direction from the legislature in the Budget Act from 2015
23 directing the Special Commitment Center to review its
24 current food services for the SCC for opportunities to
25 consolidate and centralize, emphasizing opportunities for

